

REMEMBER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery
 ^{1 (Extra charge)!}

3. Article Addressed to: Mr. Joseph C. S. Grbeck Motor Wheel Corporation 4000 Collins Road Lansing, MI 48910		4. Article Number Pd 80-601-148
Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail		
Always obtain signature of addressee or agent and DATE DELIVERED.		
5. Signature - Addressee <i>[Signature]</i>		6. Signature - Agent <i>[Signature]</i>
7. Date of Delivery 06 SEP 1988		8. Additional Address (If any) <i>[Signature]</i>

PS Form 3811, Mar. 1987

* U.S.G.P.O. 1987-178-265

DOMESTIC RETURN RECEIPT

AR200142

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP
Code in the space below.
• Complete items 1, 2, 3, and 4 on
the reverse.
• Attach to front of article if space
permits, otherwise affix to back
of article.
• Endorse article "Return Receipt
Requested" adjacent to number.

RETURN TO 

Print Sender's name, address, and ZIP Code in the space below.

3HW16

United States
Environmental Protection Agency
Region III
841 Chestnut Building
Philadelphia, PA 19107

E.N.



PENALTY FOR PRIVATE
USE, \$300

AR200143

AUG 31 1988

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Joseph C. Overbeck, President
Motor Wheel Corporation
4000 Collins Road
Lansing, MI 48910

Re: Army Creek Landfill Superfund Site

Dear Mr. Overbeck:

The United States Environmental Protection Agency (EPA or Agency), by this letter, notifies you that Motor Wheel Corporation is a Potentially Responsible Party (PRP) for contamination at the Army Creek Landfill Superfund site, New Castle County, Delaware. EPA has information indicating that Motor Wheel Corporation generated wastes that were either transported to or disposed of at the Army Creek Landfill (also known as Liangollen Landfill).

EPA has determined that action at the site is necessary. EPA encourages your participation in the activities described below. As further described below, EPA hereby requests that Motor Wheel Corporation notify EPA, within fourteen (14) calendar days of receipt of this letter, whether it is interested in participating in this project. If we do not hear from you by that time, EPA will assume that Motor Wheel Corporation will not participate in the project.

Under Sections 106(a) and 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. Sections 9606(a) and 9607(a) (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986, Public Law No. 99-499, 100 Stat. 1613 (October 17, 1986) (SARA), responsible parties may be obligated to implement any needed relief actions as determined by EPA and may also be liable for all costs incurred by the government in responding to any release or threatened release of hazardous substances at the site. Such costs can include, but are not limited to, expenditures for investigation, planning, cleanup of the site, and enforcement.

AR200144

Under Section 107(a) of CERCLA, responsible parties are liable for the cost of response actions. Responsible parties include: 1) present owners or operators of the site; 2) owners or operators at the time of disposal; 3) any persons who arranged for disposal or treatment of hazardous substances on the sites; and, 4) transporters of hazardous substances to the sites. EPA's records indicate that Motor Ideal Corporation is a responsible party under CERCLA Section 107(a) (3).

The EPA has expended public funds to investigate releases of hazardous substances at the Army Creek landfill. EPA may spend additional public funds in action to further investigate and control those releases. Unless EPA determines that a PRF will properly perform such actions, EPA intends to do so pursuant to Section 104 of CERCLA, 42 U.S.C. Section 9634, and 40 C.F.R. Section 316.40.

On September 10, 1986, the EPA Regional Administrator signed a Record of Decision (ROD) for the first operable unit at the Army Creek site. The ROD required implementation of source controls, including a RCRA-type landfill cap and the continued operation of the low-gradient recovery well network. Selection of a treatment alternative for the recovered groundwater and a decision on appropriate remedial measures for solvents in Army Creek will be the subject of a second operable unit ROD.

Specifically, EPA is planning to conduct the following studies at the Army Creek site unless an acceptable agreement can be reached:

1. Preliminary Investigation (PI) - Further investigations to define the nature and extent of surface water and sediment contamination at the site.
2. Feasibility Study (FS) - A study to evaluate potential remedial alternatives with emphasis on risk reduction actions that utilize methods to permanently and significantly reduce the toxicity, mobility, or volume of hazardous substances, pollutants, or contaminants.

In addition to the above studies, you may be asked at a later date to undertake, or may be liable for, any additional corrective measures necessary to protect public health and welfare, or the environment. Such measures may include, without limitation:

1. Implementing emergency removal actions, e.g., securing the site to prevent contact with any hazardous substances that may be present at the site and removal of contaminated materials from the vicinity of the site.
2. Implementing expedited response actions, which are rapid removal actions taken when the Agency decides to implement a cleanup that does not require extensive study. This type of action must be clearly defined and limited in scope and duration.

AR200145

3. Initiating and implementing the EPA-delegated criminal action; and
4. Providing any monitoring and maintenance necessary after remedial measures are completed.

EPA will consider an immediate offer from Motor Diesel Corporation to conduct (under EPA supervision) the RI/PS described above in accordance with a task plan consistent with the enclosed RI/TS guidance. Under Section 104(a) of CERCLA, 42 U.S.C. Section 9604(a), the President must determine that the responsible parties are qualified to conduct the RI/PS, will promptly and properly complete the same and agree to reimburse the government for any costs incurred by or in connection with the RI/PS in order to allow the EPA to undertake such action. Any agreement to perform the RI/PS will be embodied in a Common Order issued under Section 107 or Section 106 of CERCLA, 42 U.S.C. Section 9604 or Section 9603.

If Motor Diesel Corporation should decide to participate in the RI/TS process, please indicate that interest in a letter to the EPA project officer identified below within fourteen (14) calendar days of receipt of this letter. Your letter should indicate the appropriate name, address, and telephone number for further contact with Motor Diesel Corporation. If EPA does not hear from Motor Diesel Corporation by that time, EPA will assume that Motor Diesel Corporation desires any involvement in the RI/TS and will proceed with the appropriate studies and any expedited corrective actions needed to secure the RI/TS. EPA may later invite Motor Diesel Corporation to review the design and implementation of the selected remedy upon the agency's completion of the RI/TS. If Motor Diesel Corporation is already involved in discussions with State or local authorities, engaged in voluntary cleanup, or involved in a lawsuit regarding this site, you should not forward this letter to advise or encourage Motor Diesel Corporation to withdraw or withdraw from such activities. It is your responsibility to let EPA know if this letter should not be interpreted as encouraging any such efforts. You should report, however, the nature of those discussions or that action in your letter. You should also ensure that this site remains unaffected upon the CERCLA National Priority List until the necessary remedial work has been completed in accordance with the enclosed RI/TS guidance and EPA's National Contingency Plan.

Your letter should be addressed to:

Mr. George J. O'Rourke
U.S. Environmental Protection Agency
Region 3
1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460
Office of Emergency and Remedial Response
Philadelphia, PA 19102

In addition, Motor Diesel Corporation should be advised of the enclosed RI/TS guidance, and instructed that, if it will begin from evaluating the RI/TS guidance, copies of this document may be referred to the agency upon request at (202) 564-1700.

AR200146

-4-

In addition, under Section 122(e) of CERCLA, 42 U.S.C. 9622(e), responsible parties may be extended the opportunity to present a good-faith proposal to conduct the RI/FS to the Agency within sixty (60) days of receipt of a "special notice" letter. A special notice letter may be forwarded to you at such time that Motor Wheel Corporation has expressed some interest in participating in the RI/FS and the Agency determines that such notice would facilitate an agreement and expedite remedial action.

The factual and legal discussions contained in this letter are intended solely for notification and information purposes. They are not intended to be and cannot be relied upon as a final agency position on any matter set forth herein.

This information request is not subject to Office of Management and Budget Review under the Paperwork Reduction Act, 44 U.S.C. Sections 3501-3529.

If you have any questions regarding the foregoing, please contact Mr. Newman at 215-597-9238.

Sincerely,

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Stephen R. Wassersug, Director
Hazardous Waste Management Division

cc: Brian Nishitani
Office of Regional Counsel (3RC22)

Suzanne Canning
Office of Regional Counsel (3RC00)

Bruce M. Diamond, Director
Office of Waste Programs Enforcement

AR200147